

## Minutes

**Meeting:** Board  
**Date:** 8 March 2012  
**Time:** 2.00 pm  
**Venue:** Rooms 6/7, Compass House, Dundee

**Present:** Frank Clark, Chair  
Mike Cairns  
Denise Coia  
Anne Haddow  
Douglas Hutchens  
Cecil Meiklejohn  
Sally Witcher

**In Attendance:** Annette Bruton, Chief Executive  
Karen Anderson, Director of Operations  
David Cumming, Director of Operations  
Gill Ottley, Director of Operations  
Gordon Weir, Director of Resources  
Kenny McClure, Head of Legal Services  
Anne Forsyth, Executive Assistant

**Apologies:** Theresa Allison, Board Member  
Morag Brown, Board Member  
Garry Coutts, Board Member  
Carol Paton, Board Member  
David Wiseman, Board Member  
Alexis Jay, Chief Social Work Adviser  
Colin McAllister, Corporate Planning, Communications and  
Engagement Manager

### Item

### Action

The Chair welcomed everyone to the meeting including three observers.

## 1.0 APOLOGIES FOR ABSENCE

Apologies for absence, as listed above, were noted.

## 2.0 DECLARATION OF INTEREST

There was no declaration of interest.

## 3.0 MINUTE OF THE PUBLIC BOARD MEETING HELD ON 20 DECEMBER 2011

The minute of the meeting held on 20 December 2011 was submitted and approved as a correct record.

## 4.0 MATTERS ARISING

**Item 6.0** – The Chief Executive informed the Board that the organisational structure review was being taken forward as a matter of priority and would be reported on to members.

**Item 7.0** – The Chair informed the Board that the internal audit in relation to Board governance in respect of ICT would be presented to the Audit Committee on 20 March 2012.

**Item 8.0** – The Chief Executive reported that the scrutiny, risk and intelligence events that took place for all staff in January 2012 had been extremely successful and that members had been updated at the Board Development Event on 28 February 2012.

The Chief Executive advised the Board that a report in relation to the estates and property review for the West of Scotland would be presented to the Resources Committee on 20 March 2012.

## 5.0 REPORT FROM STRATEGY AND PERFORMANCE COMMITTEE OF 17 JANUARY 2012 (UNCONFIRMED MINUTE)

The Chair presented the minute to the Board for consideration and discussion of the recommendations made by the Committee. The Convener of the Complaints Sub Committee updated members, in particular, the following:

- The Complaints Sub Committee had met on 8 March 2012 to discuss the response to the Local Authority complaints procedure and that a report would be submitted to the Strategy and Performance Committee on 8 May 2012.

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- That the Care Inspectorate's complaints procedure would be discussed at a future meeting of the Complaints Sub Committee.

The Board:

- Noted the report.

## **6.0 REPORT FROM RESOURCES COMMITTEE OF 31 JANUARY 2012 (UNCONFIRMED MINUTE)**

The Director of Resources presented the minute to the Board for consideration and discussion of the recommendations made by the Committee. The following points were noted:

- That a Draft Admin Strategy had been presented which recognised the contribution that administrative staff made to the organisation and the philosophy of supporting the corporate objectives.
- The reaction from administrative staff had been positive and that resulting benefits would be appreciated in due course.

The Board:

- Noted the report.

## **7.0 CHIEF EXECUTIVE'S REPORT REPORT NO: B-01-2012**

The Chief Executive presented the report which provided the Board with an update on key developments since the December 2011 Board meeting. In particular, the following points were noted:

- An initial scoping had been undertaken in respect of information about local authority complaints, and as discussed at Item 5, a report would be presented to the Strategy and Performance Committee on 8 May 2012.
- That there had been high level learning for the Care Inspectorate from registration processes, around some of the weaknesses in the care home sector, and that particular attention had been given to learn from these failures. In relation to registration, the methodology was being adapted to include environment as a theme of the inspection which would add value to the process. This was a clear area of intelligence-gathering that would relate to the overall provision by the care provider rather than any individual care home.

**DoO  
(I&C)**

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- That the issue of continued financial viability of care services was still under discussion with the Scottish Government. The Care Inspectorate played a significant role during inspection to identify a general picture of the financial management of a care home and would therefore bring in this intelligence.
- As reported at item 4, the events held in January 2012 in relation to developing the strategic intelligence framework and the organisation's risk framework had been central to improving how the Care Inspectorate operated and that aspects of this work would be at both strategic and operational levels. A report would be presented to the Strategy and Performance and Audit Committees in due course. DoO (I&C)
- A quality assurance group was considering how best to renew and strengthen existing quality assurance operational procedures and the Chief Executive would present a position paper to the Strategy and Performance Committee 8 May 2012. CE
- The Care Inspectorate had been invited to verify and review action taken in response to the Significant Care Review (SCR) surrounding the death of Declan Hainey, published by Renfrewshire Council and had provided a small team to ensure that all actions had been undertaken.
- Future reports would include an appendix informing members of groups or significant meetings in which the Care Inspectorate was involved with Scottish Government and other key partners. This would keep members updated in relation to major issues and contributions being taken forward by the Care Inspectorate. CE

The Board:

- Noted the valuable information contained in the report.

## 8.0 MONITORING OUR PERFORMANCE Q3 2011/12 REPORT NO: B-02-2012

The Chair informed members that one of the reasons for creating the Strategy and Performance Committee had been to ensure that the performance management of the Care Inspectorate was subject to an appropriate level of detailed examination before consideration by the full Board. Therefore it was proposed that all future performance reports should be considered in full by the Strategy and Performance Committee prior to presentation to the Board.

The Director of Operations (Planning, Assurance and Public Reporting) presented the report which provided the Board with the Quarter 3 (Q3) 2011/12 summary report on performance.

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The following points in particular were noted:

- The Audit Committee had agreed in August 2011 to implement baseline key performance indicators (KPIs) to measure progress during 2011/12. The Audit Committee also agreed the phased implementation of new KPIs from 2012/13 onwards that would measure the Care Inspectorate's progress on achieving its Corporate Plan outcomes.
- That the Audit Committee would consider the KPIs again at its meeting on 20 March 2012. However, it was noted that protected time outwith the Audit Committee would be required for full and considered discussion.
- Building upon Quarter 2 (Q2) performance good progress had been made and focus had been continued on poorer performing services as well as sampling better performing services and the completion of all 8,066 inspections by 31 March 2012 was on target.
- Monitoring of services formerly operated by Southern Cross had continued ahead of cancellation and new registration being granted to new providers. The Executive Team had agreed to bring forward scrutiny of the new registered services with grades of 3 or below within three months and grades 4 and above within six months.
- Six strategic inspections of children's services had been scheduled to commence in April 2012 which included a development test site Local Authority which had agreed to test the methodology during the Q1 2012/13 inspection year. Finalisation of the quality indicator framework which underpinned the methodology was going forward.
- The good progress that had been made in developing intelligence and risk frameworks.
- The efficiency in dealing with registrations, variations, complaints and inspections.
- That there was a need to provide more qualitative information and that the Executive Team would be taking this under consideration in relation to reporting significant areas of interest and trends to maintain an appropriate strategic focus.
- That complaints which had not been directly identified, would be formally logged within the complaints team for appropriate recording thereby providing an explanation of why 3% of complaints missed being acknowledged within three days.
- The growing body of intelligence being generated by the Care Inspectorate could increasingly contribute to both local and national policy formulation and strategic thinking.

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- That the scheduled completion of nine child protection inspections had been carried out according to the inspection plan.
- An event would take place in late October early November 2012 to summarise the findings of the Child Protection programme, working with the community planning partnerships, which would identify best practice.
- Thirteen Initial Scrutiny Level Assessments (ISLAs) and follow-up scrutiny had taken place and all reports were available on the website. The remaining four ISLAs were planned for completion in Spring/Summer 2012.
- That the draft Involvement Strategy would be considered and agreed at the Strategy and Performance Committee on 13 March 2012.
- That half of all care services inspected during Q1-Q3 demonstrated very good or excellent quality practices in involving people and that work was needed to identify whether or not unannounced inspections had made an impact. This intelligence would be considered in relation to its use as a quality indicator for the KPIs.
- The increase of inspection reports which had been finalised within the deadline of 13 weeks to the same period of 1 April – 31 December in 2010/11.
- The diary exercise in relation to workforce planning which had commenced on 1 September 2011 to record the hours spent by inspectors on registrations, inspections, enforcements, complaints and variations. Data from inspections had been analysed and a summary presented to the Workforce Planning Group on 19 December 2011. The diary exercise had been extended beyond the initial timeframe to allow for collection of a greater volume of data to draw a more meaningful conclusion from the findings.
- That all Care Standards Questionnaires required updating and that through the Involvement Strategy this would be carried out, particularly in relation to how information was gathered. Members noted that questionnaires did have a place, although limited, and emphasised the importance of using a range of tools.

The Board:

- Thanked staff for the detailed report.
- Commended the Executive Team and staff for achieving such a good level of performance in what had been a challenging year to date.
- Noted and considered the performance according to the interim outline KPIs for the Care Inspectorate and the management commentary on the performance.

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- Agreed that future Performance Reports would first be considered in more detail by the Strategy and Performance Committee.
- Agreed that the format and content of future reports would be set within a wider context of Performance Management for the Board and at Executive level.

## **9.0 2012-2013 DRAFT BUDGET REPORT NO: B-03-2012**

The Director of Resources presented the 2012/13 draft budget for approval by the Board. The following points were noted:

- That the Resources Committee had considered a set of options designed to enhance public protection and assurance.
- A revised grant-in-aid figure had been provided by Sponsor for which appropriate adjustments in relation to staff slippage assumptions had been made.
- That the total proposed funding for 2012/13 of £33.364m consisted of fee income and grant-in-aid.
- That official confirmation of the grant-in-aid figure had not yet been received but was expected as soon as the Inspection Plan had received Ministerial approval.
- That the Care Inspectorate's 2011/12 operating budget represented a reduction of 8.6% on the combined predecessor bodies' budget position.
- That there was a direct correlation between the budget and the inspection plan and that the major part of the planned spend was driven by risk.

The Board:

- Approved the 2012/13 Draft Budget.
- Approved the 2012/13 draft Capital Plan.
- Approved the reduction in the annual continuation fees for care home services.
- Supported the focus on efficiencies as described.

## **10.0 SCOTTISH GOVERNMENT RESPONSE TO THE HEALTH AND SPORT COMMITTEE INQUIRY INTO THE REGULATION OF THE CARE OF OLDER PEOPLE REPORT NO: B-04-2012**

The Chair updated the Board with the highlights from the positive Parliamentary debate that had taken place on 7 March 2012, noting in particular the following:

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- The reaffirmation of the inherent robustness of the Care Inspectorate's approach to scrutiny.
- Confirmation that the appropriate resources would be made available to enable the organisation to discharge its responsibilities.
- The expectation that the Care Inspectorate's integrated approach to the scrutiny of children's services would be rolled forward to adult services.

In relation to the latter point it had been proposed at a HIS Board development event earlier in the week that the two Executive Teams of the Care Inspectorate and Healthcare Improvement Scotland (HIS) would collaborate to produce a scoping paper for consideration by the two Boards.

The Director of Operations (Planning, Assurance and Public Reporting) presented the report which updated the Board on Scottish Government's Health and Sport Committee Inquiry report into the regulation of the care of older people. The following points in particular were noted:

- That Scottish Government had invited the Care Inspectorate to provide evidence which informed their response to the Inquiry and that this had been welcomed. It endorsed a number of key areas, in particular around risk-based approach to inspections.
- That Scottish Government had accepted in part or in full almost all of the recommendations within the report.
- That work was continuing in relation to the monitoring of services providers' annual accounts by the Care Inspectorate although the limitations of this approach in relation to continued financial viability of care service providers had been stressed.

The Board:

- Welcomed the Scottish Government's response to the Scottish Parliament's Health and Sport Committee inquiry report.
- Agreed that the Executive Teams of the Care Inspectorate and Healthcare Improvement Scotland should collaborate in producing a scoping document in relation to scrutiny of older peoples care and the roll out of the model and principles being followed for the integrated scrutiny of children's services.

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## 11.0 INSPECTION PLAN 2012-13

The Chair updated Board on the Care Inspectorate's Inspection Plan 2012-13.

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The Board:

- Noted that Scottish Government Directorates had submitted comments.
- Noted that the Inspection Plan summary had been submitted for Ministerial approval on 28 February 2012.
- Noted that as soon as the Chair had received communication from the Minister that members would be informed.

Chair

## 12.0 AOCB

### 12.1 Register of Members' Interests

The Board noted that it was worth reminding that a review was required. The Executive Assistant agreed to take under advisement.

EA

### 12.2 Self-Directed Support

The Chief Executive informed the Board that the Care Inspectorate had been invited by Parliament to give a view and evidence on Self-Directed Support.

The Board:

- Agreed that following discussion with the Chief Executive of HIS, a joint return would be provided, including consultation with the Scottish Social Services Council (SSSC).
- Noted that submission was required by 24 April 2012 and agreed that members would be consulted via correspondence for approval.

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## 13.0 DATE OF NEXT MEETING

The date of the next Public Board meeting was noted as 14 June 2012, at 2.00 pm, Compass House, Dundee.

Signed:



Professor Frank Clark CBE  
Chair

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